

To: ORD-Mgmt-Council[ORDMgmtCouncil@epa.gov]; ORD-Exec-Council[ORDExecCouncil@epa.gov]
Cc: Corona, Elizabeth[Corona.Elizabeth@epa.gov]; Smith, Kelley[Smith.Kelley@epa.gov]; Burke, Thomas[Burke.Thomas@epa.gov]; Deener, Kathleen[Deener.Kathleen@epa.gov]; Blackburn, Elizabeth[Blackburn.Elizabeth@epa.gov]; Hubbard, Carolyn[Hubbard.Carolyn@epa.gov]; Frithsen, Jeff[Frithsen.Jeff@epa.gov]; Gwinn, Maureen[gwinn.maureen@epa.gov]
From: Piantanida, David
Sent: Thur 9/10/2015 1:45:13 PM
Subject: HSST Hearing Summary/Takeaways: Gold King Mine Release and a copy of testimony for Mathy Stanislaus
[EPATestimonyMStanislaus090915.pdf](#)

FYI and this is the first of 4 hearings on the Gold King Mine Release Incident.

Hearing on Holding EPA Accountable for Polluting Western Waters
U.S. House Committee on Science, Space and Technology
Wednesday, September 9, 2015, 10:00 AM

-

PURPOSE:

- To examine how the Gold Mine Release occurred and to better understand how future mine spills can be avoided.
- Archived Web link to hearing: <https://science.house.gov/legislation/hearings/full-committee-hearing-holding-epa-accountable-polluting-western-waters>

Gold King Mine History: 11,500 feet elevation

The Gold King Mine was discovered by Olaf Nelson in 1887, with operations continuing until 1907 when a fire destroyed the surface buildings of the mine. The mine was reopened in 1910 but closed shortly thereafter because of litigation and labor problems. In 1918 a new company bought the mine and operated it until the fall of 1922. The Gold King Mine shipped 711,144 tons of gold silver ore while in operation. The mine has been inactive since then. It is currently owned by San Juan Corporation.

Panel of Witnesses:

- Mr. Mathy Stanislaus, AA for OSWER, US EPA
- Mr. Dennis Greaney, President, Environmental Restorations LLC

- Dr. Donald Benn, Executive Director, Navajo Nation EPA
- Mr. Dean Brookie, Mayor, Durango, CO
- Dr. Mark Williamson, Geochemist, Geochemical Solutions LLC

MAJOR THEMES, QUESTIONS, TAKEWAYS AND QUOTES:

- While 3 million gallons were released on August 5th, about 3 million gallons of mine water drain out of the Gold King each week, and four mines in immediate vicinity drain 330 million gallons per year into Cement Creek, the Animas River, the San Juan River and eventually, the Colorado River.
- EPA has taken full responsibility for the mine release. There was disappointment from the members that Gina McCarthy wasn't testifying.
- The minority members took issue with the title of the hearing.
- One of the witnesses stated that the Gold King Mine blowout was going to happen naturally. This is inherently dangerous work.
- Over 130 years, thousands of mines, millions of individual actors, and literally billions of gallons of polluted water that have run through the Durango community – attempts to blame single agencies or individuals are pointless, and ignore the scale and complexity of the problem that needs to be addressed.
- We must continue to work together at the local, state and federal level – and do so much more, quickly and with greater resolve – to comprehensively address the water quality threats to our region before they result in far greater harm to our communities, as well as additional costs to government.
- The Durango community needs the scientific, technological and financial leadership of the EPA to guide a collaborative process for addressing this problem.
- Congress consider reforming the 1872 mining law to take us from the 19th into the 21st century and consider some kind of royalty on mining companies (the same royalties currently paid by all other extractive industries) that we could tap into to pay for clean-up.
- Lastly, the bi-partisan Congressmen Udall, Tipton, and Bennet Good Samaritan legislation from the last Congress could be an additional tool used towards a long-term solution for cleaning up abandoned mines.
- Why did the EPA ignore the warnings of water build-up/pressure issues? Was there negligence at the Agency? Who has been held accountable?

- City of Durango was notified of the spill within 90 minutes but the Navajo Nation wasn't notified until 24 hours later.
- There were comparisons with this release and the BP Deep Horizon spill. Why isn't there more transparency on this issue? Why doesn't the government hold itself to the same standards?
- EPA has posted 2,500 papers and other materials to the EPA website.
- Will a Superfund listing designation help address clean-up and resource issues going forward and attempts to develop a long-term solution?
- What has been the impact on tourism?
- Congressman Perlmutter (D-CO): "This is complex and dangerous work. There is no real bad guy. We are trying to fix a 100 year old problem!"
- What has EPA learned from this spill experience?
- Issues with the contractor – will there be any legal actions against the contractor (Environmental Restoration LLC)?
- There are two on-going investigations – the IG and DOI.

House Science, Space and Technology Committee Press Release after the Hearing:

<https://science.house.gov/news/press-releases/smith-epa-negligence-mine-spill-inexcusable>

-

News Coverage Immediate after the Hearing:

<http://www.eenews.net/greenwire/2015/09/09/stories/1060024427>

David Piantanida, (202) 564-8318, cell: (202) 527-1750

Senior Advisor

Office of Research and Development

U.S. Environmental Protection Agency